



IFW

## THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Biedermann et al.

Serial No.: 10/799,143

Filed: March 11, 2004

For: ANCHORING ELEMENT FOR USE  
IN SPINE OR BONE SURGERY,  
METHODS FOR USE AND  
PRODUCTION THEREOF

§  
§  
§  
§  
§  
§  
§  
§  
§  
§

Publication No.: US 2004/0181224 A1

Publication Date: Sep. 16, 2004

Group Art Unit: 3732

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**THIRD PARTY SUBMISSION OF PRIOR ART  
UNDER 37 C.F.R. § 1.99**

Sir:

Please accept this submission of prior art:

1. U.S. Publication No. US 2004/0186473 A1 to Cournoyer et al. filed Mar. 21, 2003 and published Sep. 23, 2004.

The undersigned hereby certifies that, consistent with 37 C.F.R. § 1.248(b), a copy of this correspondence and the attached prior art references was deposited with the United States Postal Service as first class mail in an envelope addressed to:

Dike, Bronstein, Roberts & Cushman  
Edwards & Angell, LLP  
Intellectual Property Practice Group  
P.O. Box 9169  
Boston, MA 02209 (US)

*Bonnie Boyle*  
Signature

November 15, 2004

Date

cc 10/17/06

approved

Third Party Submission of Prior Art  
Mailed November 15, 2004

Application No. 10/799,143  
Publication No. US 2004/0181224 A1

The Commissioner is hereby authorized to charge payment of any further fees associated with any of the papers submitted herewith or to credit any overpayment to Deposit Account No. 08-1394. A self-addressed postcard is included herewith to acknowledge receipt by the Patent Office.

Respectfully submitted,

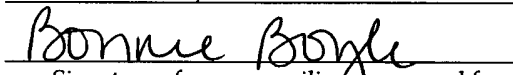


David L. McCombs  
Registration No. 32,271

Dated: November 15, 2004

HAYNES AND BOONE, LLP  
901 Main Street, Suite 3100  
Dallas, Texas 75202-3789  
Telephone: 972-739-8635  
Facsimile: 214-200-0853  
R-91242\_1.DOC

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450  
on: November 15, 2004

  
Signature of person mailing paper and fee